

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

DAMIEN HEWLETT,

Plaintiff,

v.

Case No. 24CV0377

JUSTIN THOMSEN, BRANDON FISCHER,
TANNER LEOPOLD, LOGAN GOEHL,
AND BRIDGETT PROSPER,

Defendants.

**DEFENDANTS MOTION IN SUPPORT OF PARTIAL SUMMARY
JUDGMENT BASED ON EXHAUSTION GROUNDS**

Defendants, by their attorneys, Wisconsin Attorney General Joshua L. Kaul and Assistant Attorneys General Brandon Flugaur and Mmeli Obi, hereby move the Court, pursuant to Fed. R. Civ. P. 56, for an order of partial summary judgment.

The grounds for this motion are set forth in the accompanying Defendants' Brief in Support of their Motion for Partial Summary Judgment on Exhaustion Grounds, Defendants' Proposed Findings of Fact, Declaration of Brian Kolb and accompanying exhibits. Plaintiff is notified that this motion is based on Fed. R. Civ. P. 56, a copy of which is attached to this motion. In addition, accompanying this motion is a copy of Civil L. R. 7 and Civil L. R. 56.

Plaintiff is further notified that declarations and any other documents accompanying this motion are incorporated by reference herein. Any factual assertion in the declarations (and other admissible proof) submitted or referred to in support

of Defendant's motion will be accepted by the judge as true unless you submit affidavits or declarations or other admissible documentary evidence contradicting such assertion. Failure to oppose Defendant's declarations (or other admissible proof) with your own affidavits or declarations (or other admissible proof) may result in entry of judgment against you.

Dated August 9, 2024.

Respectfully submitted,

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Attorney General of Wisconsin

s/ Mmeli Obi
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